REMARKS

Claims 1-5, 7-16, 18-27, and 29-40 are presented for further examination.

Amendments:

All independent claims (1, 12, 23, 34, 38, 39 and 40) have been amended to incorporate features formerly found in dependent claims 6, 7, 17, 18, 28, 29 and 35, which are now canceled. The independent claims have been further amended to clarify their language. No new matter is added.

Section 112 Rejections:

The claim language identified in the Section 112 rejections has been deleted.

Prior Art Rejections:

Claims 1-7, 10-18, 21-29, 32-35, and 37-40 were rejected under 35 U.S.C. 102(b) as being anticipated by Roth (WO 98/34189). Claims 8-9, 19-20, 30-31, and 36 were rejected under 35 U.S.C. §103(a) as being obvious over Roth. The examiner is requested to reconsider the rejection with the following points in mind.

The claims relate to a system that allows sponsors to bid on advertisement opportunities made available by media. The system has three major participants: a media who offers advertisement opportunities from a media terminal; sponsors who submit advertisement data from sponsor terminals; and an advertisement opportunity trading system that receives data from media and sponsors and processes the data to place specific ads with specific advertising opportunities. The amended claims specify that advertisement data includes a genre of the advertisement, the advertisement opportunity includes a prohibited genre data that designates genres of advertisement data that are prohibited for the advertisement opportunity. The system includes an advertisement check unit that checks whether the genre of the submitted advertisement data corresponds to the prohibited genre data of the advertisement opportunity and notifies the media of the result. The system does not accept an application for distribution of the advertisement data unless it has been information by the media that the advertisement data is appropriate for the advertisement.

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The system as described in the independent claims is not anticipated or obvious from Roth. Roth also describes a system for bidding on advertisement opportunities ("viewing opportunities" or "view-ops"). In Roth, data describing the advertisement opportunity ("VOD" or "view-op data") may include a content type CT field that "identifies a particular type of ad that site will accept" (see p. 19, line 25 – page 20, line 26, esp. line 16). The VOD data is transmitted to bidding agents who use the VOD to decide whether to bid on that view-op (p. 20, lines 1-2; p. 22, lines 1-9). Upon receiving the VOD, the bidding agent performs a series of tests to determine whether to bid on the VOD (fig. 5 and p. 29, lines 15-16). One of those tests looks at the content type CT field to determine whether the type of its ad matches the content type for the VOD (p. 30, line 18). The bidding agent may submit a bid for an ad for which there is a CT match (p. 31, line 6).

The Roth system does not have the features required by the present claims. In Roth, a bidding agent determines whether there is a match between the content type specified for a view-op and the content type of the ad that it wants to place. The present claims require that the sponsor of an ad simply sends genre information along with the ad, and the system, not the sponsor, determines whether the genre of the ad is a prohibited genre for the advertisement opportunity, and provides that information to the media, which then must tell the system that the advertisement data is appropriate before the application for the advertisement opportunity is processed. Roth does not have these features. Roth has the bidding agents determine whether the content type of their ad matches the content type of the view-op. This makes the system vulnerable to bidding agents who ignore the content type and submit ads that do not match the required content type for the view-op.

Roth does not anticipate the present claims because Roth does not describe any processing by the server to verify the content type of a submitted ad. Such processing is not inherent in Roth's system, since the system can operate in the manner described without any verification of content type by the server or by the web site that offers the view-op, and such processing is therefore not necessarily part of the system.

Roth also does not make the present claims obvious. Roth only describes a system in which bidding agents are relied upon to determine whether the content type of an ad matches the content type of a view-op. There is no teaching or suggestion in Roth that would lead one to implement the features of the present claims.
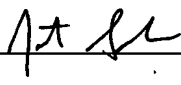
Applicant therefore submits that independent claims 1, 12, 23, 34, 38, 39 and 40 and their dependent claims are distinguished for at least these reasons.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date ___March 2, 2007___   By ___/s/___

FOLEY & LARDNER LLP   Justin M. Sobaje
Customer Number: 22428   Attorney for Applicant
Telephone: (310) 975-7965   Registration No. 56,252
Facsimile: (310) 557-8475